



U.S. Department of Justice

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US EPA RECORDS CENTER REGION 5



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Washington, D.C. 20530

March 28, 1985

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Re: United States v. Reilly Tar & Chemical Corp.
No. 4-80-469 (D. Minn.)

Dear Gentlemen:

Enclosed please find a copy of the executed Stipulation relating to analytical and hydrogeologic data, which was filed with the Court on March 22, 1985.

Sincerely yours,

Assistant Attorney General
Land and Natural Resources Division

By: 
William R. Sterks
Environmental Enforcement Section

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert H.
Humphrey, III, its Department
of Health, and its Pollution
Control Agency,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM,
INC.; and PHILLIP'S INVESTMENT CO.,

Defendants,

and

STIPULATION

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant,

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

vs.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

The United States, the State of Minnesota, the Reilly Tar and Chemical Corporation, the City of St. Louis Park, the City of Hopkins, and the Housing and Redevelopment Authority of St. Louis Park, (hereinafter collectively referred to as "parties"), by their undersigned attorneys, for the purpose of the trial of the above-captioned case, hereby stipulate and agree as follows:

1. All chemical analytical data which has been produced to date, including data from the sampling of soil, subsoil, substances in or near well casings or borings, surface water, air, groundwater, commercial creosote oil, and other media or material, analyzed by the laboratories identified in Appendix A, which is attached hereto and incorporated by reference, are admissible in evidence, without objection, and without further proof as to chain of custody, authenticity, validity, quality assurance, or quality control. All such analytical data produced to date shall be listed by the party intending to introduce it and such list shall be served upon the parties to this stipulation by February 15, 1985. If the party served has not received a copy of any report, the party intending to use it shall furnish a copy within ten days.

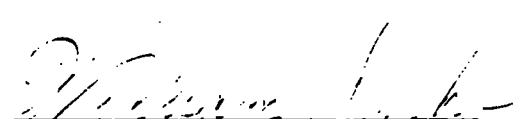
2. All hydrogeologic data which has been produced to date, generated by the entities listed in Appendix B, which is attached hereto and incorporated by reference, including data on the location, land surface altitude, and water level measurements of wells, piezometers, and surface waters; reported

geologic, geophysical, and well logs; annual pumpage and water use of wells; and bedrock geology are admissible into evidence without objection and without further proof as to chain of custody, authenticity, methods of measurement, validity, quality assurance, or quality control.

3. This stipulation relates only to the admissibility of data and not to its weight.

By: 

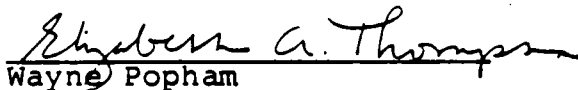
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Filed: March 22, 1985

APPENDIX A

To Stipulation of March 22, 1985.

The parties stipulate that data from samples analyzed by the following laboratories are admissible into evidence, without objection and without further proof as to chain of custody, authenticity, validity, quality assurance, or quality control:

- (1) CH2M Hill
- (2) Capsule Laboratories
- (3) GCA Corporation
 - Braun Engineering Testing
- (4) Monsanto Research Corporation
 - Twin Cities Testing and Engineering Lab, Inc. (Soil Exploration Company)
 - Environmental Testing and Certification Corporation
- (5) Barr Engineering Co.
 - Institute for Research
 - SERCO
- (6) EPA Lab.
- (7) USGS Lab. (Denver, Colorado)
- (8) MRI (Midwest Reserach Institute)
- (9) University of Iowa
- (10) Pace Laboratories
- (11) Reilly Tar and Chemical Corporation laboratory data
- (12) Braun Engineering Testing did some for ERT also.

APPENDIX B

To Stipulation of March 22 , 1985

The parties stipulate that hydrogeologic data generated by the following entities are admissible into evidence without objection and without further proof as to chain of custody, authenticity, methods of measurement, validity, quality assurance, or quality control:

- (1) U.S. Geologic Survey
- (2) Barr Engineering Company
- (3) GCA Corporation
- (4) Braun Engineering Testing
- (5) Minnesota Geologic Survey
- (6) Minnesota Department of Natural Resources
- (7) Minnesota Department of Health
- (8) Mark Hurd Aerial Surveys
- (9) Soil Exploration Company, Inc.
- (10) Environmental Research & Technology, Inc.